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17507 U.S. PTO
10/623142
07/18/03

File No. 1946/1B035-USD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: *Andrea LEONE-BAY et al.*

For: **COMPOUNDS AND COMPOSITIONS FOR DELIVERING ACTIVE AGENTS**

CONTINUING APPLICATION

Mail Stop Patent Application
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:


This is a request for filing under 37 C.F.R. 1.53(b) of a continuation application of the following pending prior application:

Serial No. 10/038,426 Filed: October 19, 2001

Of: Andrea LEONE-BAY; Koc-Kan HO; Donald J. SARUBBI; and Sam J. MILSTEIN

For: **COMPOUNDS AND COMPOSITIONS FOR DELIVERING ACTIVE AGENTS**

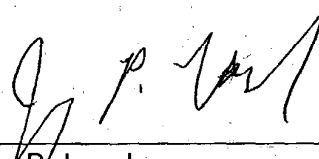
Examiner: J. Russel Group: 1654

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This application is a continuation of U.S. Application Serial No. 10/038,426, filed October 19, 2001, which is a continuation of U.S. Application Serial No. 09/499,958, filed February 8, 2000, now U.S. Patent No. 6,346,242, which is a continuation of U.S. Application Serial No. 09/305,506, filed May 5, 1999, now U.S. Patent No. 6,428,780, which is a continuation of U.S. Application Serial No. 08/798,031, filed February 6, 1997, now U.S. Patent No. 6,001,347, which is a continuation of PCT Application Serial No. PCT/US96/04580, filed April 1, 1996, published in English as International Publication No. WO 96/30036, which is a Continuation-in-Part of Application Serial No. 08/414,654, filed March 31, 1995, now U.S. Patent No. 5,650,386, and which claims the benefit of Application Serial No. 60/003,111, filed September 1, 1995, and Application Serial No. 60/017,902, filed March 29, 1996. This application incorporates by reference U.S. Serial No. 10/038,426, in its entirety.

1. Enclosed is a copy of the prior application as originally filed (along with a copy of the original Declaration). No amendments identified in the declaration for this prior application introduced new matter. Please use this copy as the application and declaration for the present case.
2. Formal Drawings (3 sheets, Figures 1-3) are filed herewith.
3. A Preliminary Amendment is also enclosed.
4. The prior application is assigned to: Emisphere Technologies, Inc.
5. The Assignment was recorded at Reel 8624, Frame 0246 on July 7, 1997.

Respectfully submitted,



Jay P. Lessler
Reg. No. 41,151
Attorney for Applicant(s)

Dated: July 18, 2003

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